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## Federal Regulation Allows Communities to Silence Train Horns, Existing Whistle Bans Can Remain Quiet with Safety Improvements

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**Friday, April 22, 2005** (Washington, DC) Thousands of communities nationwide will have the choice to consider silencing train horns at highway-rail grade crossings based on meeting safety needs, under a Final Rule made public today by the Federal Railroad Administration (FRA). In addition, the rule provides a process for localities with existing whistle bans to retain their bans.

"At every step of the process we listened closely to the concerns of the public and local officials to craft a rule that balances safety and quality of life issues," said FRA Acting Administrator Robert D. Jamison. "Communities will have significant flexibility to establish or maintain quiet zones for the benefit of their residents while keeping highway-rail grade crossings safe for motorists."

The Final Train Horn Rule becomes effective on June 24, 2005, and is the result of a 1994 law mandating the use of the locomotive horn at all public highway-rail grade crossings with certain exceptions. This rule will pre-empt applicable state laws and related railroad operating rules requiring locomotive horns be sounded, and it also will supersede the previously issued Interim Final Rule.

The Final Rule provides for six types of quiet zones, ensures the involvement of state agencies and railroads in the quiet zone development process, gives communities credit for pre-existing safety warning devices at grade crossings and addresses other issues including pedestrian crossings within a quiet zone.

The establishment of a new quiet zone requires at minimum that each grade crossing be equipped with flashing lights and gates. Additional safety measures may be required to compensate for the absence of the horn as a warning device. New quiet zones can be in effect 24-hours a day or just during the overnight period between 10 p.m. and 7 a.m.

Communities with a whistle ban in effect on Oct. 9, 1996, the date Congress directed FRA to specifically address the issue of existing bans, and on Dec. 18, 2003, the date the Interim Final Rule was published, will be able to continue to keep the train horns silent for at least an additional five to eight years as they plan for and install any additional necessary safety measures.

Communities with a whistle ban created after Oct. 9, 1996, and in effect on Dec. 18, 2003, will have one year to install any additional necessary safety measures before the train horns will start sounding again.

The rule also establishes the first-ever maximum train horn volume level and will reduce the amount of time the horn is sounded, which will be beneficial to communities that decide not to pursue quiet zones.

The Final Rule on the Use of Locomotive Horns at Highway-Rail Grade Crossings is available at the U.S. Department of Transportation Docket Management System web site at <http://dms.dot.gov/> docket number FRA-1999-6439-3923. Additional information is located at the FRA web site at [www.fra.dot.gov](http://www.fra.dot.gov).

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